

On March 7, 1939, no claim having been entered for the lot seized at San Francisco, judgment of condemnation was entered and the lot was ordered destroyed. On March 13, 1939, Stayton Canning Co. Cooperative, claimant for the lot seized at Oakland, having consented to the entry of a decree, judgment of condemnation was entered, and the product was order released under bond conditioned that it be relabeled under the supervision of this Department.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30315. Adulteration of canned oysters. U. S. v. 198 Cases and 246 Cases of Canned Oysters. Consent decree of condemnation with provisions for release under bond for segregation and destruction of unfit portion. (F. & D. Nos. 44498, 44499. Sample Nos. 40185-D, 40186-D.)

This product was in part decomposed.

On December 13, 1938, the United States attorney for the District of Montana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 444 cases of canned oysters at Kalispell, Mont.; alleging that the article had been shipped in interstate commerce on or about November 16, 1938, by the Dunbar-Dukate Co. from New Orleans, La.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Pelican Brand Cove Oysters Packed for Dunbar-Dukate Co. Inc."

Adulteration was alleged in that the article consisted in whole and in part of a filthy, decomposed, and putrid animal substance.

On March 8, 1939, the Dunbar-Dukate Co. having appeared as claimant and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond conditioned that the portion unfit for human consumption be segregated and destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30316. Adulteration of apples. U. S. v. 20 Bushels of Apples. Default decree of condemnation and destruction. (F. & D. No. 44423. Sample No. 32156-D.)

This product was contaminated with arsenic and lead.

On September 30, 1938, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 20 bushels of apples at Bloomington, Ill.; alleging that the article had been shipped in interstate commerce on or about September 26, 1938, from Benton Harbor, Mich., by Edward McDonald to himself at Bloomington, Ill.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Ed. Scheffler, R-2, Coloma, Mich."

Adulteration was alleged in that the article contained added poisonous and deleterious ingredients, arsenic and lead, which might have rendered it harmful to health.

On November 12, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30317. Adulteration of flour. U. S. v. 60 Bags of Flour (and 2 other seizure actions against the same product). Default decrees of condemnation and destruction. (F. & D. Nos. 43363, 43364, 43379. Sample Nos. 37641-D, 37642-D, 37643-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages, at the time of examination, was found to be insect-infested.

On or about September 1, 1938, the United States attorney for the Southern District of Mississippi, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 470 bags of flour at Gulfport, Miss.; alleging that the article had been shipped by the Pfeffer Milling Co. from Lebanon, Ill., within the period from on or about July 2, 1937, to on or about March 30, 1938; and charging adulteration in violation of the Food and Drugs Act.

Adulteration was alleged in that the article consisted wholly or in part of a filthy vegetable substance.

On February 23, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*